



PATENT APPLICATION

#7
BP
5-6-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Susheng GAN, et al.

Serial No.: 09/973,945

Filed: October 11, 2001

Art Unit: 1645

Examiner: To be determined

Docket No.: 50229-287

TECH CENTER 1600/2900

MAR 1 9 2002

RECEIVED

For: GENETIC INSULATOR FOR PREVENTING INFLUENCE BY ANOTHER GENE
PROMOTER

INFORMATION DISCLOSURE STATEMENT

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is directed to the cited references listed on the attached PTO-1449. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence. Applicants respectfully request that the cited information be expressly considered during the prosecution of this application and that the cited references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counter-part foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐ c. Please charge the amount of \$240.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 13-0203 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 13-0203 in the amount of \$130.00 for payment of the petition fee. Please credit or debit Deposit Account No. 13-0203 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

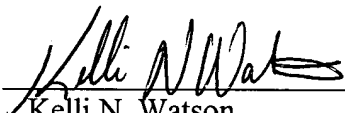
☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

Please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-0417.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Date: 3/15/2002

By: 
Kelli N. Watson
Registration No. 47,170

600 13th Street, N.W.
Washington, D.C. 20005-3096
Telephone: (202) 756-8000
KNW/dmd



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	09/973,945
	Filing Date	October 11, 2001
	First Named Inventor	Gan <i>et al.</i>
	Group Art Unit	1645
	Examiner Name	To be determined
	Attorney Docket Number	050229-287

TECH CENTER 1600/2900

MAR 19 2002

RECEIVED

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
		5,610,053	Mar. 11, 1997	Chung <i>et al.</i>	435	172.3	Jul. 29, 1994
		6,037,525	Mar. 14, 2000	Thompson <i>et al.</i>	800	298	Aug. 1, 1996
		6,229,070	May 8, 2001	Shinmyo <i>et al.</i>	800	298	Nov. 19, 1999
FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)		Date of Publication	Translation Yes No	
		WO 93/02187	Michigan State University		Feb. 4, 1993		
OTHER NON PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
		An G, "Binary Ti vectors for plant transformation and promoter analysis." In <i>Methods in Enzymology: Recombinant DNA</i> , R. Wu, and L. Grossman, eds., 292-305 (San Diego, Academic Press, 1987)					
		Bechtold N <i>et al.</i> , "In <i>Planta Agrobacterium</i> -mediated gene transfer by infiltration of adult <i>Arabidopsis</i> plants", <i>C R Acad Sci Paris</i> 316, 1194-1199 (1993)					
		Brown M <i>et al.</i> , "lac repressor can regulate expression from a hybrid SV40 early promoter containing a lac operator in animal cells", <i>Cell</i> 49, 603-612 (1987)					
		Gallie DR <i>et al.</i> , "The 5'-leader sequence of tobacco mosaic virus RNA enhances the expression of foreign gene transcripts <i>in vitro</i> and <i>in vivo</i> ", <i>Nucleic Acids Res</i> 15, 3257-3273 (1987)					
		Gan S, Ph.D. Thesis; <i>Molecular characterization and genetic manipulation of plant senescence</i> (University of Wisconsin-Madison, Madison, 1995)					
		Hajdukiewicz P <i>et al.</i> , "The small, versatile pPZP family of <i>Agrobacterium</i> binary vectors for plant transformation", <i>Plant Mol Biol</i> 25, 989-994 (1994)					
		Holtorf S <i>et al.</i> , "Comparison of different constitutive and inducible promoters for the overexpression of transgenes in <i>Arabidopsis thaliana</i> ", <i>Plant Mol Biol</i> 29, 637-646 (1995)					
		Jefferson RA, "Assaying chimeric genes in plants: the GUS gene fusion system", <i>Plant Mol Biol Rep</i> 5, 387-405 (1987)					
		Sambrook J <i>et al.</i> , <i>Molecular Cloning: A Laboratory Manual, Second edition</i> (New York, Cold Spring Harbor Laboratory Press, 1989) We have provided the cover page and Table of Contents only as this is a widely cited molecular lab book, but will provide the entire book if the Examiner so desires.					
		Slomiany BA, "Extraction of nuclear proteins with increased DNA binding activity", <i>BioTechniques</i> 28, 938-942 (2000)					
Examiner Signature					Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.